## Montana State Legislature

### 2013 Session

**Additional Documents include:** 

- \*Business Report
- \*Roll Call-attendance
- \*Standing Committee Reports,
- \*Table Bills, Fiscal reports etc.
- \*Roll Call Votes
- \*Witness Statements
- \*Informational items
- \*Visitor Registrations
- \*Any other Documents;
  - ~Petitions if any?
  - ~Any and all material handed in after the meeting end.

The original is on file at the Montana Historical Society and may be viewed there.

Montana Historical Society Archives 225 N. Roberts Helena MT 59620-1201 2013 Legislative Scanner Susie Hamilton

#### **BUSINESS REPORT**

#### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

#### SENATE JUDICIARY COMMITTEE

Date: Wednesday, March 27, 2013

Place: Capitol

Time: 8:00 A.M.

**Room:** 303

#### **BILLS and RESOLUTIONS HEARD:**

HB 208 - Providing immunity for solid waste management system - Rep. Jerry O'Neil

HB 421 - Revise law pertaining to abandoned vehicles - Rep. Joanne Blyton

HJ 5 - Resolution to amend the US constitution regarding foreign treaties - Rep. Jerry O'Neil

#### **EXECUTIVE ACTION TAKEN:**

HB 208-BE CONCURRED IN

HJ 5-BE CONCURRED IN

HB 104-BE CONCURRED IN AS AMENDED

HB 287-BE CONCURRED IN

SB 384-DO PASS

HB 522-BE CONCURRED IN

HB 74-VOTE TIED 6-6

HB 229-VOTE TIED 6-6

HB 555-VOTE TIED 6-6

HB 67-TABLED

HB 254-TABLED

HB 255-TABLED

HB 421-TABLED

HB 438-TABLED

SB 377-TABLED

#### Comments:

Aunthusphy SEN. Verry Murphy, Chai

## MONTANA STATE SENATE

2013 JUDICIARY COMMITTEE

ROLL CALL

DATE: 3 27 3

NAME	PRESENT	ABSENT/
		EXCUSED
CHAIRMAN, SENATOR TERRY MURPHY		
VICE CHAIRMAN, SENATOR SCOTT SALES		
SENATOR SHANNON AUGARE		
SENATOR ANDERS BLEWETT		
SENATOR SCOTT BOULANGER		,
SENATOR JOHN BRENDEN		
SENATOR ROBYN DRISCOLL		
SENATOR JENNIFER FIELDER		
SENATOR LARRY JENT		
SENATOR CLIFF LARSEN		
SENATOR CHAS VINCENT		
SENATOR ART WITTICH		
·		



March 27, 2013 Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 208** (third reading copy -- blue) **be concurred in**.

Signed: /

Senator Terry Murphy, Chair

To be carried by Senator Jennifer Fielder

- END -

Committee Vote:
Yes 7, No 5
Fiscal Note Required \_\_\_



March 27, 2013 Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Joint Resolution 5** (third reading copy -- blue) **be concurred in**.

Signed:

To be carried by Senator Jennifer Fielder

- END -

Committee Vote:
Yes 7, No 5
Fiscal Note Required \_\_\_



March 27, 2013 Page 1 of 2

Mr. President:

We, your committee on Judiciary recommend that House Bill 104 (third reading copy -- blue) be concurred in as amended.

Signed: //

Senator Terry Murphy, Chair

To be carried by Senator Robyn Driscoll

#### And, that such amendments read:

1. Title, page 1, line 5. Strike: "AN UNBORN CHILD"

Insert: "A FETUS OF ANOTHER"

2. Page 1, line 12.

Strike: "or unborn child"

Following: ";"

Strike: "or"

3. Page 1, line 17.

Strike: "or unborn child"

Insert: "; or (c) the person purposely or knowingly causes the
 death of a fetus of another with knowledge that the woman is
 pregnant"

4. Page 1, line 25.

Strike: "unborn child"

Insert: "purposely or knowingly causes the death of a fetus of

another with knowledge that the woman is pregnant"

Committe	ee Vote:
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Yes 12, No 0

Fiscal Note Required

5. Page 2, line 9 through line 10.

Following: "4]," on line 9

Strike: remainder of line 9 through "born" on line 10

Insert: ""fetus" means an organism of the species homo sapiens
 from 8 weeks of development until complete expulsion or
 extraction from a woman's body"

6. Page 2, line 12.

Strike: "unborn child"

Insert: "fetus of another"

7. Page 2, line 18.

Strike: "AN UNBORN CHILD"

Insert: "a fetus of another"

8. Page 2, line 23.

Strike: "UNBORN CHILD"

Insert: "fetus"

9. Page 2, line 24.

Strike: "UNBORN CHILD"

Insert: "fetus"



March 27, 2013 Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 287** (third reading copy -- blue) **be concurred in**.

Signed: August Terry Murphy, Chair

To be carried by Senator John Brenden

- END -

Committee Vote:
Yes 10, No 2
Fiscal Note Required \_\_\_



March 27, 2013 Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 384** (first reading copy -- white) **do pass**.

Signed: Sepator Terry Murphy, Chair

- END -

Committee Vote:
Yes 12, No 0
Fiscal Note Required \_\_\_



March 27, 2013 Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 522** (third reading copy -- blue) **be concurred in**.

igned:

To be carried by Senator Art Wittich

- END -

Committee Vote:
Yes 12, No 0
Fiscal Note Required \_\_\_

#### **BILL TABLED NOTICE**

#### **SENATE JUDICIARY COMMITTEE**

#### The **SENATE JUDICIARY COMMITTEE** TABLED

- \HB 67 Revise inspection of campaign records laws Rep. Bryce Bennett
- HB 254 Requiring a disclaimer on election materials funded by anonymous contributions Rep. Rob Cook
- ►HB 255 Require PACs to do and disclose to donors summary report on expenditures -Rep. Rob Cook
- HB 421 Revise law pertaining to abandoned vehicles Rep. Joanne Blyton
- HB 438 Establish procedures for landlord tenant actions in justice court Rep. Nancy Ballance
- SB 377 Generally revise medical marijuana laws and regulate industry Sen. David Wanzenried

by motion, on **Wednesday, March 27, 2013** (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).

(For the Committee)

(For the Secretary of the Senate)

(Time)

(Date)

March 27, 2013 (11:24am)

Pam Schindler, Secretary

Phone: 406-444-4891

COMMITTEE FILE COPY

### **BILL VOTE TIED - REMAINS IN COMMITTEE**

#### SENATE JUDICIARY COMMITTEE

The vote in SENATE JUDICIARY COMMITTEE for bill HB 74 - Require disclosure of child abuse to DPHHS to law enforcement in all cases - Rep. Margaret (Margie) MacDonald HB 229 - Generally revise laws related to campaign finance limits and maximums - Rep. Scott Reichner

►HB 555 - Revise mediation laws related to family law and domestic violence - Rep. Ellie Boldman Hill

was tied and the bill remains in committee. (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).

(For the Committee)

(For the Secretary of the Senate)

(Time)

March 27, 2013 (11:28am)

Pam Schindler, Secretary

Phone: 406-444-4891

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SENATOR SCOTT BOULANGER	_		
SENATOR ART WITTICH			
SENATOR SHANNON AUGARE			
SENATOR ANDERS BLEWETT			
SENATOR ROBYN DRISCOLL		_	
SENATOR LARRY JENT			
SENATOR CLIFF LARSEN		)	
CHAIRMAN, SENATOR TERRY MURPHY			
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SENATOR JENNIFER FIELDER			
SENATOR CHAS VINCENT	-		
SENATOR SCOTT BOULANGER			
SENATOR ART WITTICH			
SENATOR SHANNON AUGARE		·	
SENATOR ANDERS BLEWETT			
SENATOR ROBYN DRISCOLL			
SENATOR LARRY JENT			
SENATOR CLIFF LARSEN			
CHAIRMAN, SENATOR TERRY MURPHY			
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SENATOR CHAS VINCENT			
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SENATOR ROBYN DRISCOLL	-		
SENATOR LARRY JENT		·	
SENATOR CLIFF LARSEN			
CHAIRMAN, SENATOR TERRY MURPHY			

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SENATOR CLIFF LARSEN			
CHAIRMAN, SENATOR TERRY MURPHY	-		
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SENATOR ANDERS BLEWETT		-	
SENATOR ROBYN DRISCOLL			
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SENATOR CLIFF LARSEN			
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SENATOR CLIFF LARSEN			
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VICE CHAIRMAN, SENATOR SCOTT SALES			
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SENATOR LARRY JENT	_	·	
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CHAIRMAN, SENATOR TERRY MURPHY	_		

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SENATOR ROBYN DRISCOLL			
SENATOR LARRY JENT		·	
SENATOR CLIFF LARSEN			
CHAIRMAN, SENATOR TERRY MURPHY			
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SENATOR ANDERS BLEWETT			
SENATOR ROBYN DRISCOLL	_		
SENATOR LARRY JENT			
SENATOR CLIFF LARSEN	-		
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CHAIRMAN, SENATOR TERRY MURPHY			3

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SENATOR CLIFF LARSEN	_		
CHAIRMAN, SENATOR TERRY MURPHY			

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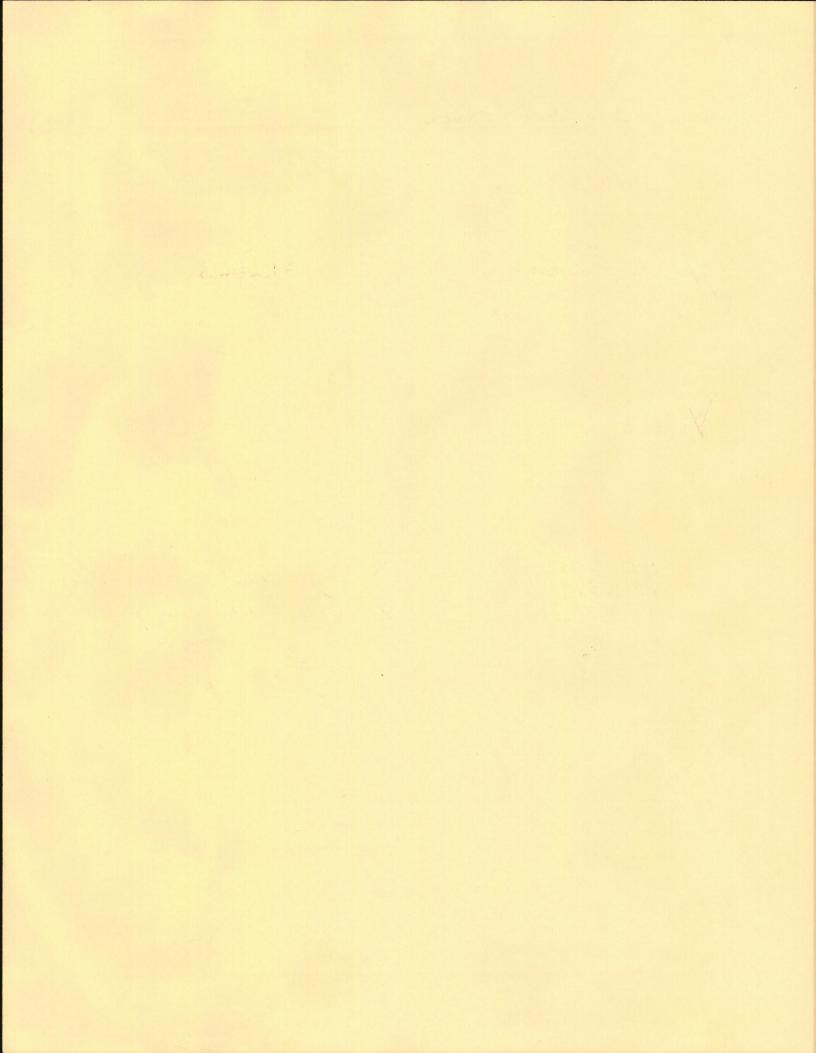
SENATE P	ROXY
I, Senator John O. Brendey _SALES_	, hereby authorize Senator _ to vote my proxy before the
SenateJUDICIARY	meeting held on
, 2013.  Senator Signature (Sen. John Brenden)	3 27 13 Date

Said authorization is as follows: (mark only one)

All votes, including amendments.

- All votes as directed below on the listed bills, and all other votes.
- □ Votes only as directed below.

Bill No./Amendment No.	Aye	No	
HB 505	义		
SB 377		X	
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OBIMITE II	10211
I, SenatorLARSEN	, hereby authorize Senator to vote my proxy before the
SenateJUDICIARY	meeting held on
Senator Signature (Sen. Shannon Augare)	3/27/13 Date
Said authorization is as follows: (mark only o	one)
All votes, including amendments.  All votes as directed below on the lis  Votes only as directed below.	ted bills, and all other votes.
Bill No./Amendment No. Ay	re No

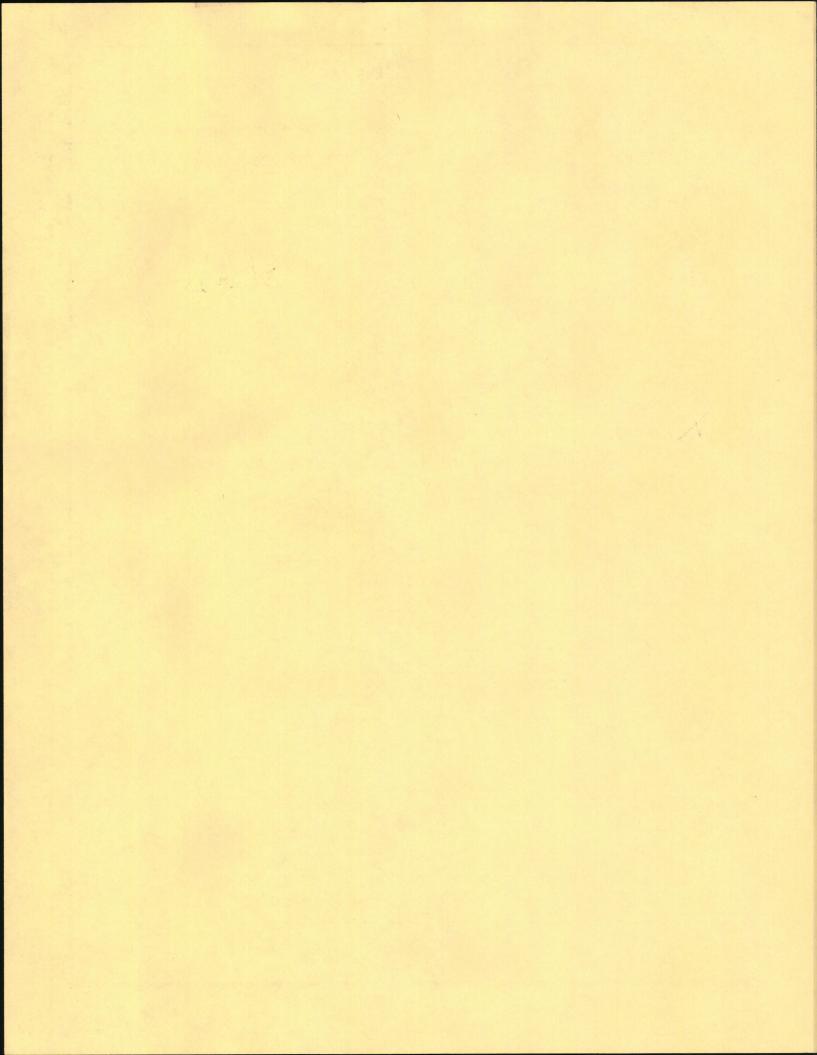


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I, Senator P FILLDER	, hereby authorize Senator
SALES	to vote my proxy before the
SenateJUDICIARY	meeting held on
Senator Signature (Sen. Jennifer Fielder)	3/27/13 Date
Said authorization is as follows: (mark only	one)
All votes, including amendments.	

- All votes as directed below on the listed bills, and all other votes.
- □ Votes only as directed below.

Bill No./Amendment No.	Aye	No
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## MONTANA STATE SENATE Visitors Register SENATE JUDICIARY COMMITTEE

Wednesday, March 27, 2013
HB 421 - Revise law pertaining to abandoned vehicles
Sponsor: Rep. Joanne Blyton

#### PLEASE PRINT

Name	Representing	Support	Oppose	Info
Maureen Connor	Montana ASSOC. of Counties			
Bob Gilbert	Mt Tow Truck Assec.			
TERRY MORRISON	montern tow truck Asso	X		
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Lany Eastern	MPPA	X		THE RESERVE OF THE PERSON NAMED IN COLUMN 1, C
Jarry Williams	MARA	X		
Carte Chitan a	Ch & MS(A		X	
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Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

## MONTANA STATE SENATE Visitors Register SENATE JUDICIARY COMMITTEE

Wednesday, March 27, 2013

HB 208 - Providing immunity for solid waste management system

Sponsor: Rep. Jerry O'Neil

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Representing	Support	Oppose	Info
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	Representing  MTAA  MTASSICA COLLECTIVES	MTLA	MTLA

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

## MONTANA STATE SENATE Visitors Register SENATE JUDICIARY COMMITTEE

Wednesday, March 27, 2013
HJ 5 - Resolution to amend the US constitution regarding foreign treaties
Sponsor: Rep. Jerry O'Neil

#### PLEASE PRINT

PLEASE PRINT	7		Y	
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Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.



#### Testimony before Committee regarding HB505 March 26, 2013

Thomas J Scanlin 1050 Boylan Road, Apt. 8 Bozeman, Montana

Good morning! My name is Tom Scanlin; I am a US citizen, resident of Bozeman.

I am here today on behalf of two elderly friends (and myself, of course) who are too frail to come to come to Helena with me.

My aunt Mary, in her mid 80's, went into a coma after a botched knee operation and was kept alive (but comatose) for two years. I do not want that to happen to me.

We (that is my friends, my family, and I) don't understand why the government would want to get involved in such personal decisions as those which need to be considered at the end of our lives. We believe in the individual's freedom to decide end-of-life situations, and we believe that the government should be kept out of these private decisions. Those should be between our loved ones, our family doctor, our medical providers, and ourselves. We have given our doctors our advanced medical directives, and we are in the process of completing the POLST forms. We hope that what we have indicated on those forms will be honored by any medical staff who might attend to our needs in our final days.

We believe that aid in dying should remain legal; we are confident that it will give us comfort in our final days to know that our wishes will be carried out by persons whom we know, love, and trust.

Thank you for your attention and consideration.